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13 AMAZON.COM SERVICES LLC

14
15 **UNITED STATES DISTRICT COURT**
16 **DISTRICT OF NEVADA**

17 DWIGHT MALLOY, on behalf of himself
18 and all others similarly situated;

19 Plaintiffs,
20
21 vs.
22 AMAZON.COM SERVICES LLC,
23
24 Defendant.

25 Case No. 2:22-cv-00286-ART-VCF

26 **STIPULATION AND ~~PROPOSED~~ ORDER**
27 **TO EXTEND TIME FOR THE PARTIES TO**
28 **SUBMIT STIPULATED DISCOVERY PLAN**

29 **[SECOND REQUEST]**

30
31 Defendant AMAZON.COM SERVICES LLC (“Amazon”) and Plaintiff DWIGHT MALLOY
32 (“Plaintiff”), by and through their counsel of record, hereby stipulate to extend the deadline to file the
33 Stipulated Discovery Plan and Scheduling Order from the current deadline of May 1, 2023 (ECF No.
34), for 14 days, up to and including **May 15, 2023**. This is the second request for an extension of
35 time.

36 The parties request this extension due to the parties’ current heavy workloads. With respect to
37 this matter, Amazon filed a Motion for Certification of Interlocutory Appeal regarding the denial of
38 its Motion to Dismiss (“Motion for Certification”) on April 3, 2023. [ECF No. 34]. The parties
39 submitted a stipulation which was granted by this Court which moved the deadline for Plaintiff’s
40 Response to the Motion for Certification to May 1, 2023. [ECF No. 37]. The same stipulation moved

1 the deadline for Amazon's Reply to May 22, 2023. *Id.* Given this new timing, the parties require
2 additional time to meet and discuss a discovery plan for this matter. Furthermore, given the nature of
3 this matter as a putative class action, the parties also require more time to formulate an appropriate
4 discovery plan. Additionally, the parties require more time in order to meet and confer to discuss their
5 respective positions regarding a potential stipulated stay of discovery pending a decision on Amazon's
6 Motion for Certification and its appeal efforts, as recently proposed by counsel for Amazon.

7 Accordingly, the parties respectfully request that the Court enter an order granting an extension
8 of the deadline as set forth above. The parties attest that this request is made in good faith and is not
9 for the purpose of undue delay

10
11 Dated: April 28, 2023
12 Respectfully submitted,

13
14 */s/ Don J. Foty, Esq.*
15 DON J. FOTY, ESQ.
16 WILLIAM M. HOGG, ESQ.
17 HODGES & FOTY, LLP

18 ESTHER C. RODRIGUEZ, ESQ.
19 RODRIGUEZ LAW OFFICES, P.C.
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21 Attorneys for Plaintiff
22 DWIGHT MALLOY

Dated: April 28, 2023
Respectfully submitted,

/s/ Amy L. Thompson, Esq.
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DIANA G. DICKINSON, ESQ.
EMIL S. KIM, ESQ.
LITTLER MENDELSON, P.C.

23
24 Attorneys for Defendant
25 AMAZON.COM SERVICES LLC

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28 **IT IS SO ORDERED.**

Dated: May 1 _____, 2023.



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